

MERCHANT & GOULD P.C.  
**United States Patent Application**  
**DECLARATION**

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled FULL VOLUME SLIP DEFECT MANAGEMENT IN A DISC DRIVE, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. ☒ no such applications have been filed.  
b. ☐ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/169,019	3 DECEMBER 1999

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	<b>Full Name Of Inventor</b>	<b>Family Name</b> HOSKINS	<b>First Given Name</b> EDWARD	<b>Second Given Name</b> SEAN
0	<b>Residence &amp; Citizenship</b>	<b>City</b> LONGMONT	<b>State or Foreign Country</b> COLORADO	<b>Country of Citizenship</b> UNITED STATES OF AMERICA
1	<b>Post Office Address</b>	<b>Post Office Address</b> 1800 SUNLIGHT DRIVE	<b>City</b> LONGMONT	<b>State &amp; Zip Code/Country</b> COLORADO 80501/USA
<b>Signature of Inventor 201:</b>			<b>Date:</b>	

#### § 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	Edward S. Hoskins
Serial No.:	NEW FILING
Filed:	HEREWITH
Docket:	SEA9390/40046.89-US-U1

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST  
(REVOCATION OF PRIOR POWERS)**

As assignee of record of the entire interest of the above identified application,

REVOCATION OF PRIOR POWERS OF ATTORNEY

all powers of attorney previously given are hereby revoked and

**NEW POWER OF ATTORNEY**

the following practitioners/patent agent are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith.

Edward P. Heller, III, Registration No. 29,075	Shawn B. Dempster, Registration No. 34,321
Raghunath S. Minisandram, Registration No. 38,683	Jonathan E. Olson, Registration No. 41,231
Leland D. Schultz, Registration No. 30,322	Cecilia A. (Peggy) Walsh, Registration No. 45,659
Derek J. Berger, Registration No. 45,401	

And members of the firm of Merchant & Gould P.C.

Albrecht, John W.	Reg. No. 40,481	Holzer, Jr., Richard J.	Reg. No. 42,668
Anderson, Gregg I.	Reg. No. 28,828	Johnston, Scott W.	Reg. No. 39,721
Batzli, Brian H.	Reg. No. 32,960	Kadievitch, Natalie D.	Reg. No. 34,196
Beard, John L.	Reg. No. 27,612	Karjeker, Shaukat	Reg. No. 34,049
Berns, John M.	Reg. No. 43,496	Kastelic, Joseph M.	Reg. No. 37,160
Black, Bruce E.	Reg. No. 41,622	Kettelberger, Denise	Reg. No. 33,924
Branch, John W.	Reg. No. 41,633	Keys, Jeramie J.	Reg. No. 42,724
Bremer, Dennis C.	Reg. No. 40,528	Knearl, Homer L.	Reg. No. 21,197
Bruess, Steven C.	Reg. No. 34,130	Kowalchyk, Alan W.	Reg. No. 31,535
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Caspers, Philip P.	Reg. No. 33,227	Larson, James A.	Reg. No. 40,443
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Clifford, John A.	Reg. No. 30,247	Lindquist, Timothy A.	Reg. No. 40,701
Coldren, Richard J.	Reg. No. 44,084	Lycke, Lawrence E.	Reg. No. 38,540
Daignault, Ronald A.	Reg. No. 25,968	McAuley, Steven A.	Reg. No. 46,084
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Dalglish, Leslie E.	Reg. No. 40,579	McIntyre, Jr., William F.	Reg. No. P-44,921
Daulton, Julie R.	Reg. No. 36,414	Mueller, Douglas P.	Reg. No. 30,300
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Gould, John D.	Reg. No. 18,223	Schmaltz, David G.	Reg. No. 39,828
Gregson, Richard	Reg. No. 41,804	Schuman, Mark D.	Reg. No. 31,197
Gresens, John J.	Reg. No. 33,112	Schumann, Michael D.	Reg. No. 30,422
Hamre, Curtis B.	Reg. No. 29,165	Scull, Timothy B.	Reg. No. 42,137
Hillson, Randall A.	Reg. No. 31,838	Sebald, Gregory A.	Reg. No. 33,280

Skoog, Mark T.	Reg. No. 40,178	Weaver, Karrie G.	Reg. No. 43,245
Spellman, Steven J.	Reg. No. 45,124	Welter, Paul A.	Reg. No. 20,890
Stoll-DeBell, Kirstin L.	Reg. No. 43,164	Whipps, Brian	Reg. No. 43,261
Sumner, John P.	Reg. No. 29,114	Wickhem, J. Scot	Reg. No. 41,376
Swenson, Erik G.	Reg. No. 45,147	Williams, Douglas J.	Reg. No. 27,054
Tellekson, David K.	Reg. No. 32,314	Witt, Jonelle	Reg. No. 41,980
Trembath, Jon R.	Reg. No. 38,344	Wu, Tong	Reg. No. 43,361
Underhill, Albert L.	Reg. No. 27,403	Xu, Min S.	Reg. No. 39,536
Vandenburg, J. Derek	Reg. No. 32,179	Zeuli, Anthony R.	Reg. No. 45,255

#### CHANGE OF ATTORNEY'S/ AGENT'S ADDRESS IN APPLICATION

Merchant & Gould P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903

#### STATEMENT UNDER 37 CFR 3.73(b)

Seagate Technology LLC states that it is the Assignee of Entire Interest in the patent application/ patent identified above by virtue of an Assignment from the inventor(s) of the patent application/ patent identified above. A copy of the Assignment is attached and/or was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_. The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the Assignee.

Respectfully submitted,

SEAGATE TECHNOLOGY LLC  
(Assignee of Entire Interest)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Shawn B. Dempster, Reg. No. 34,321  
Senior Director of Intellectual Property, Product and  
Technology Development  
SEAGATE TECHNOLOGY LLC  
Intellectual Property Dept. - SHK2LG  
1280 Disc Drive  
Shakopee, MN 55379-1863  
(952) 402-2517 (telephone)  
(952) 402-2657 (facsimile)

# United States Patent & Trademark Office

## Office of Initial Patent Examination

Application papers not suitable for publication

SN 09727031 Mail Date 11-29-00

- ☐ Non-English Specification
- ☐ Specification contains drawing(s) on page(s) \_\_\_\_\_ or table(s) 21,34,35
- ☐ Landscape orientation of text    ☐ Specification    ☐ Claims    ☐ Abstract
- ☐ Handwritten    ☐ Specification    ☐ Claims    ☐ Abstract
- ☐ More than one column    ☐ Specification    ☐ Claims    ☐ Abstract
- ☐ Improper line spacing    ☐ Specification    ☐ Claims    ☐ Abstract
- ☐ Claims not on separate page(s)
- ☐ Abstract not on separate page(s)
- ☐ Improper paper size -- Must be either A4 (21 cm x 29.7 cm) or 8-1/2"x 11"
  - ☐ Specification page(s) \_\_\_\_\_ ☐ Abstract
  - ☐ Drawing page(s) \_\_\_\_\_ ☐ Claim(s)
- ☐ Improper margins
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- ☐ Not reproducible    Section
  - Reason    ☐ Specification page(s) \_\_\_\_\_
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  - ☐ Glossy pages    ☐ Abstract
  - ☐ Non-white background    ☐ Claim(s)
- ☐ Drawing objection(s)
  - ☐ Missing lead lines, drawing(s) \_\_\_\_\_
  - ☐ Line quality is too light, drawing(s) \_\_\_\_\_
  - ☐ More than 1 drawing and not numbered correctly
  - ☐ Non-English text, drawing(s) \_\_\_\_\_
  - ☐ Excessive text, drawing(s) \_\_\_\_\_
  - ☐ Photographs capable of illustration, drawing(s) \_\_\_\_\_